

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION

KENDRICK R. MARTIN,

Plaintiff,

v.

SCOTT WILKES, Head Warden; ANTONIO  
ROSS, Sergeant over CERT; and SERENA  
CHANCE, Lieutenant,

Defendants.

CV 117-127

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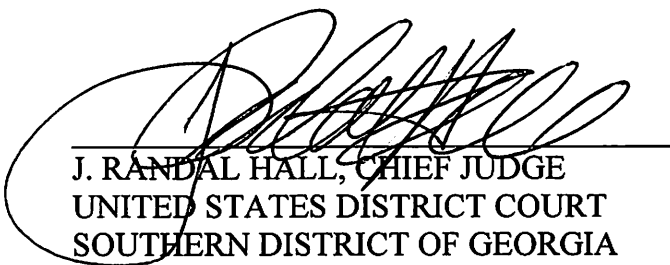
**ORDER**

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After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation ("R&R"), to which objections have been filed. (Doc. nos. 85, 86.) Both Plaintiff and Defendants object to the R&R. Accordingly, the Court **OVERRULES** Plaintiff's and Defendants' objections, (doc. nos. 85, 86), **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion, and **GRANTS IN PART** and **DENIES IN PART** Defendants' motion for summary judgment, (doc. no. 68), resulting only in summary judgment for Defendants Wilkes and Chance on Plaintiff's Eighth Amendment excessive force claims against them. The case shall proceed to trial on Plaintiff's Eighth Amendment excessive force claim against Sergeant Ross arising out of the taser application on

March 27, 2017.

SO ORDERED this 29<sup>th</sup> day of August, 2019, at Augusta, Georgia.



J. RANDAL HALL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA